

15A NCAC 02Q .0504 OPTION FOR OBTAINING CONSTRUCTION AND OPERATION PERMIT

(a) Pursuant to 15A NCAC 02Q .0501(c)(2) or (d)(2), the owner or operator of a new or modified facility subject to the requirements of this Section that chooses to obtain a construction and operation permit before the facility must obtain a permit pursuant to this Section may file an application pursuant to 15A NCAC 02Q .0300.

(b) The applicant shall state in his permit application that he or she wishes to follow the procedures in this Rule.

(c) If the option allowed pursuant to 15A NCAC 02Q .0501(b)(1) is used, then the application processing procedures for prevention of significant deterioration in 15A NCAC 02D .0530 and new source review for nonattainment areas in 15A NCAC 02D .0531 do not apply. If the option allowed pursuant to 15A NCAC 02Q .0501(b)(2) is used, then the application processing procedures in this Section and in either of the following rules shall apply:

(1) 15A NCAC 02D .0530 for prevention of significant deterioration; or

(2) 15A NCAC 02D .0531 for new source review for nonattainment areas.

(d) If the procedures in 15A NCAC 02Q .0300 are followed, the permittee shall have one year from the date of beginning operation of the facility or source to file an amended application following the procedures in this Section. The Director shall place a condition in the construction and operation permit stating this requirement.

*History Note: Authority G.S. 143-215.3(a)(1); 143-215.107(a)(10); 143-215.108;
Temporary Adoption Eff. March 8, 1994 for a period of 180 days or until the permanent rule becomes effective, whichever is sooner;
Eff. July 1, 1994;
Readopted Eff. April 1, 2018.*